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23 UNITED STATES DISTRICT COURT
24 FOR THE DISTRICT OF ALASKA
25 AT ANCHORAGE

26 NORTHERN DYNASTY MINERALS
LTD. and PEBBLE LIMITED
PARTNERSHIP,

Plaintiffs,

v.

U.S. ENVIRONMENTAL PROTECTION
AGENCY,

Defendant.

CASE NO. 3:24-cv-00059-SLG

DECLARATION OF LILANI DUNN
IN SUPPORT OF MOTION TO
INTERVENE BY BRISTOL BAY
REGIONAL SEAFOOD
DEVELOPMENT ASSOCIATION,
INC.

1
2 I, Lilani Dunn, declare as follows:

3
4 1. I am the Executive Director of the Bristol Bay Regional Seafood
5 Development Association, Inc. (“BBRSDA”).

6 2. I have worked for almost 20 years as a food marketing professional. I hold a
7 Bachelor of Science in Nutrition & Food Science from California Polytechnic State
8 University-San Luis Obispo.

9 3. From May 2006 to August 2011, I was a Product Specialist at Dole Food
10 Company.

11 4. From November 2011 to January 2015, I was a Domestic Marketing
12 Manager at the Alaska Seafood Marketing Institute (ASMI).

13 5. From January 2015 to February 2020, I was the Head of Marketing and
14 Communications at Orca Bay Foods, LLC.

15 6. In March 2020, I became the head of the marketing program for BBRSDA,
16 with the mission of strengthening the demand for Bristol Bay sockeye salmon at the
17 distributor, retailer, and consumer level, and to expand into new channels and markets. In
18 February 2024 I became BBRSDA’s Executive Director, and I now oversee the Bristol
19 Bay Sockeye Salmon brand, which showcases the quality, origin sustainability, and health
20 benefits of this premium product.

21 7. BBRSDA is a 501(c)(6) non-profit corporation established in 2005 to fulfill
22 the provisions of Alaska Statute Section 44.33.065, which seeks to promote and market
23 Alaska’ seafood. BBRSDA’s mission is to maximize the value of the Bristol Bay fishery
24 for the benefit of Bristol Bay fishermen, and it does so with a strategic focus on promoting
25 the quality, sustainability, and marketplace success of Bristol Bay’s salmon fishery.
26

DECLARATION OF LILANI DUNN - 2
CASE NO. 3:24-CV-00059-SLG

1 8. BBRSDA represents more than 8,000 commercial fishermen whose
2 livelihoods depend upon the extraordinary Bristol Bay salmon fishery. BBRSDA's
3 membership includes all of the over 1,800 Bristol Bay salmon driftnet (S03T) permit
4 holders. BBRSDA's membership includes residents of 49 U.S. states (excepting only
5 Delaware) spanning the country from coast to coast.

6 9. For two decades, BBRSDA has invested significant effort and resources in
7 branding and marketing Bristol Bay sockeye salmon to promote the fishery. Its marketing
8 promotes the fishery's abundance, sustainability, and pristine source. These efforts have
9 resulted in BBRSDA's fishermen obtaining premium prices for their salmon, as grocers
10 and chefs value throughout the country value Bristol Bay's wild salmon and the Bristol
11 Bay Sockeye Salmon brand.

12 10. The Pebble Mine will directly and irreparably harm BBRSDA and its
13 members. It poses an existential risk to Bristol Bay's world-class salmon fishery, putting at
14 risk the futures and livelihoods of thousands of Bristol Bay's commercial fishermen, along
15 with their crews and families.

16 11. Bristol Bay is the world's largest source of premium, wild salmon. In recent
17 years, annual harvests of sockeye salmon from Bristol Bay's waters have numbered in the
18 several tens of millions, including record-level harvests exceeding 60 million fish,
19 dwarfing any other salmon fishery in North America and comprising about one-half of the
20 global harvest of sockeye salmon. The fishery employs nearly 15,000 people, produces an
21 annual estimated economic value of \$1-\$2 billion, and contributes more than \$600 million
22 in labor income to the fishery's participants. Moreover, the fishery is completely self-
23 sustaining, meaning that it is a re-generating resource that if effectively managed and
24 protected can exist for the benefit of future generations in perpetuity.

25 12. The economic magnitude of Bristol Bay's salmon fishery is only part of its
26 value. The salmon fishery is the lifeblood of the region. Harvesting salmon in Bristol Bay

1 is a way of life, a culture, and a source of pride for those whose livelihoods depend on it –
2 and it has been for generations. The histories and identities of fishing families and whole
3 communities are bound together with Bristol Bay’s extraordinary salmon fishery.

4 13. BBRSDA has participated extensively in the U.S. Army Corps of Engineers’
5 environmental review and permitting process for Pebble Mine, as well as the U.S.
6 Environmental Protection Agency’s Section 404(c) process. Throughout this process,
7 BBRSDA has consistently communicated that the Pebble Mine will harm the interests of
8 its members by injuring and threatening their livelihoods, and by irrevocably damaging the
9 ecological and biological resources in the Bristol Bay watershed. Among other things,
10 BBRSDA submitted comments to the U.S. Army Corps of Engineers’ Draft Environmental
11 Impact Statements, as well as the EPA Region 10’s May 2022 Revised Proposed
12 Determination, both of which explain in detail its opposition to the mine. BBRSDA has
13 also participated in public hearings and previous lawsuits in opposition to the Pebble Mine.

14 14. Development of Pebble Mine would be devastating to BBRSDA and its
15 members. The mere existence of the mine would cause extreme damage to the Bristol Bay
16 Sockeye Salmon brand – in which BBRSDA has invested heavily – which depends upon
17 consumer perceptions about Bristol Bay’s pristine and self-sustaining environment and
18 habitat. In addition, the persistent and permanent threat posed by a tailings storage facility
19 right in Bristol Bay’s pristine headwaters and spawning grounds puts the entire fishery at
20 permanent existential risk. For a self-sustaining resource, adding this permanent risk is no
21 different from putting a time limit on this resource.

22 15. Plaintiffs’ lawsuit, if successful, will significantly impair the interests of
23 BBRSDA and its members. Plaintiffs’ lawsuit targets the agency actions which seek to
24 protect the fisheries and resources of Bristol Bay. The relief the plaintiffs request in this
25 lawsuit directly threatens BBRSDA’s members’ interests in a vibrant and healthy Bristol
26

1 Bay salmon fishery, as well as an economically healthy and viable Bristol Bay Sockeye
2 Salmon brand.

3 16. The interests of BBRSDA and its members in this lawsuit are not adequately
4 represented by the Federal Defendants. BBRSDA represents the interests of Bristol Bay's
5 commercial fishermen and their families, whereas the Federal Defendants include the
6 regulatory agencies and officials bound by statutory constraints and obligations. Thus, the
7 interests of BBRSDA as a non-federal entity with a direct cultural and economic stake in
8 this controversy are very different from the interests of the federal regulatory agencies.

9 17. BBRSDA's participation in this litigation will aid the Court in understanding
10 the issues of the case. BBRSDA's members and I have important knowledge about Bristol
11 Bay's resources and the economic impacts and risks of development activities such as the
12 Pebble Mine, and BBRSDA will make legal arguments that will aid in the Court's
13 understanding and disposition of the issues in this case.

14 Pursuant to 28 U.S.C. Section 1746, I declare under penalty of perjury that the
15 foregoing is true and correct.

16
17 DATED this 22 day of April, 2024.

18
19 By: _____


Lilani Dunn, Executive Director, BBRSDA